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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/943,456	08/30/2001	Gary L. Swoboda	TI-30478	9920

23494 7590 05/23/2006

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EXAMINER

GUILL, RUSSELL L

ART UNIT	PAPER NUMBER
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2123

DATE MAILED: 05/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	09/943,456		SWOBODA, GARY L.	
	Examiner		Art Unit	
	Russ Guill		2123	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5,13 and 17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 1,5 and 13 is/are allowed.
- 6) ☐ Claim(s) 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is in response to an Amendment filed February 21, 2006. Claims 2 - 4, 6 - 12, 14 - 16, 18 - 24 and 18 - 27 are canceled. Claims 1, 5, 13 and 17 are pending. Claims 1, 5, 13 and 17 have been examined. Claim 17 has been rejected under 35 U.S.C. § 112, second paragraph. Claims 1, 5 and 13 are allowable over the prior art of record.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on February 21, 2006 has been entered.

Response to Remarks

- 2.1. The Examiner acknowledges the receipt of the Applicant's remarks. The remarks do not appear to raise any issues that need a response. The Examiner would like to respectfully thank the Applicant for their efforts and professional approach regarding this application.

Priority

3. Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged. Applicant has not complied with one or more conditions for receiving the benefit of an earlier filing date under 35 U.S.C. [1] as follows:
 - 3.1. The later-filed application must be an application for a patent for an invention which is also disclosed in the prior application (the parent or original nonprovisional application or provisional

application). The disclosure of the invention in the parent application and in the later-filed application must be sufficient to comply with the requirements of the first paragraph of 35 U.S.C. 112. See *Transco Products, Inc. v. Performance Contracting, Inc.*, 38 F.3d 551, 32 USPQ2d 1077 (Fed. Cir. 1994).

3.2. The disclosure of the prior-filed applications, Applications No. 60/186236 and 60/219340, both filed March 2, 2000, fail to provide adequate support or enablement in the manner provided by the first paragraph of 35 U.S.C. 112 for one or more claims of this application. Claims 1, 5, 13 and 17 do not appear to have support in the aforementioned provisional applications. Support for the claims appears to be found in parent application 09/798561, filed March 2, 2001.

Claim Rejections - 35 USC § 112

3.3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3.4. Claim 17 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

3.4.1. Claim 17, line 10, recites, "the data processor." There is insufficient antecedent basis for the phrase. For the purpose of claim examination, the phrase is interpreted as, "the data processing portion."

Allowable Subject Matter

3.5. Claim 17 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

3.6. The following is an examiner's statement of reasons for allowance:

3.6.1. While Edwards065 (Edwards U.S. Patent 6,918,065) and Edwards047 (U.S. Patent 6,530,047) both teach a method of exporting from a data processor emulation information including emulation control information and emulation data, none of these references taken either alone or in combination with the prior art of record disclose a method for exporting from a data processor emulation information having all of the claimed features of Applicant's instant invention, specifically including:

3.6.1.1. Regarding claim 1, "comparing respective sections of emulation data with the stored comparison data; and wherein the emulation control information in one of the information blocks includes a compression map indicative of whether the sections of the emulation data match the stored comparison data," in combination with the remaining elements and features of the claimed invention.

3.6.1.2. Regarding claim 5 "the emulation data in one of the information blocks includes bits indicating whether the data processor performed data processing operations during a corresponding clock cycle," in combination with the remaining elements and features of the claimed invention.

3.6.1.3. Regarding claim 13, "a comparator connected to said comparison data register and receiving emulation data generating an indication of a match between corresponding sections of said comparison data and said emulation data; and wherein the emulation control information in one of the information blocks includes a compression map indicative of

whether the sections of the emulation data match the stored comparison data," in combination with the remaining elements and features of the claimed invention.

3.6.1.4. Regarding claim 17, "the emulation data in one of the information blocks includes bits indicating whether the data processor performed data processing operations during a corresponding clock cycle," in combination with the remaining elements and features of the claimed invention.

3.7. It is for these reasons that the Applicant's invention defines over the prior art of record.

3.8. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure:

4.1. Schieber, Colleen D. et al., "Ratchet: Real-time Address Trace Compression Hardware for Extended Traces," Performance Evaluation Review, vol. 21, #3 and 4, Apr. 1994, pp. 22-32; teaches common knowledge of trace compression

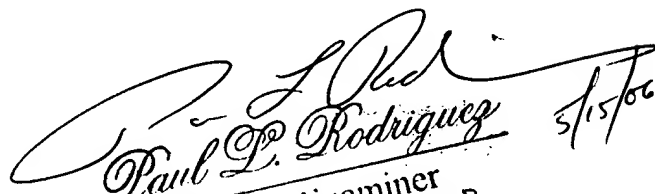
4.2. Eric E. Johnson et al.; "Lossless Trace Compression", February 2001, IEEE Transactions on Computers, Volume 50, Number 2; teaches common knowledge of trace compression

4.3. A. R. Pleszkun. "Techniques for Compressing Program Address Traces", 27th Annual IEEE/ACM International Symposium on Microarchitecture, pp. 32-40. November 1994; teaches common knowledge of trace compression

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Russell L. Guill whose telephone number is 571-272-7955. The examiner can normally be reached on Monday - Friday 9:30 AM - 6:00 PM.
6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Rodriguez can be reached on 571-272-3753. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Any inquiry of a general nature or relating to the status of this application should be directed to the TC2100 Group Receptionist: 571-272-2100.
7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Russ Guill
Examiner
Art Unit 2123

RG


Paul L. Rodriguez
Primary Examiner
Art Unit 2123
5/15/06